

VARACALLI & HAMRA, LLP

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5.14.19

VIA ECF

Chief Mag. Judge Roanne L. Mann
United States District Court, EDNY
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Bonikos et al v. Foodoni NY 23 Corp. et al, Case 1:17-cv-02162-AMD-RLM

Your Honor,

I represent Plaintiffs in the above action and I file this letter Jointly with Defense Counsel. As your Honor is aware, a Settlement has been reached in this case, in the Bankruptcy action. Attached hereto, as per your honor's instruction, is the fully executed settlement agreement.

The case has settled for a sum of \$60,000 dollars, which includes attorney fees and a release from all the named Plaintiffs. The settlement agreement is in compliance with Cheeks V. Freeport Pancake House. The release was narrowly tailored to address only the FLSA and NYLL, wage related claims. There is no confidentiality provision in this settlement agreement, or any provision gagging the Plaintiffs' right to discuss this case and its outcome.

Furthermore, considering the likelihood of dischargeability in Bankruptcy Court, the settlement amount represents a fair and equitable resolution of this case. The sum of \$60,000, will be split up as Follows:

Plaintiff Yanis Bonikos: \$13,000

Plaintiff Dimitirios Oikonomopoulos: \$13,000

Plaintiff Rigel Shaholli: \$13,000

Varacalli & Hamra, LLP., Legal Fees: \$21,000

The attorney fees and costs of \$21,000 dollars, which represents 1/3 of the total settlement amount, plus \$1,000 in costs, are entirely reasonable. This case has been litigated for years, and continued for months in Bankruptcy Court. Varacalli & Hamra, LLP, has billed approximately 184 hours on this

case. Varacalli & Hamra, in particular Anthony Portesy and Ibrahim Abohamra have years of experience litigating FLSA claims. Our services are billed at \$400 an hour. If this was billed by the hour, our fees would exceed \$70,000. Varacalli & Hamra, LLP., has waived the majority of the costs incurred in litigating this matter, and we are only looking to recover \$1,000 dollars for costs, out of the \$2,184.15 dollars that was actually incurred.

We kindly request that the Court approve this settlement agreement.

We thank the Court for its guidance and assistance in this matter.

Truly Yours

VARACALLI & HAMRA, LLP

/s/ Ibrahim Abohamra

By: Ibrahim Abohamra

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